

1  
2  
3  
4  
5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT TACOMA

8 PHILLIP BURTON HAUSKEN,

9                   Plaintiff,

10                 v.

11 KEVIN VANDE WEYE, et al.,

12                   Defendants.

CASE NO. C13-5560 BHS

ORDER DENYING MOTION  
FOR EXTENSION OF TIME TO  
FILE A STATEMENT OF  
ADDITIONAL GROUNDS FOR  
REVIEW

13  
14                 This matter comes before the Court on Plaintiff Phillip Burton Hausken's

15 ("Hausken") motion for an extension of time to file a statement of additional grounds for  
16 review (Dkt. 18). The Court has considered the pleadings filed in support of the motion  
17 and the remainder of the file, and hereby denies the motion for the reasons stated herein.

18                 On August 28, 2013, judgment was entered against Hausken, and his case is now  
19 closed. Dkt. 13. On September 30, 2013, Hausken filed a document apparently seeking  
20 to proceed in forma pauperis (IFP) before the Ninth Circuit so that he could appeal a  
21 decision of the Court. *See* Dkt. 17. The Court returned the document to Hausken,  
22 indicating that if he wanted to file an appeal with the Ninth Circuit, he must file a notice

1 of appeal. *Id.* On the same day, September 30, 2013, Hausken also filed his present  
2 motion. Dkt. 18.

3       The relief Hausken seeks through the instant motion is not clear. Hausken's  
4 motion appears to be directed to a Washington State Court of Appeals, as the form he  
5 filed is used in the state courts of appeal when one seeks to file a statement for additional  
6 grounds for review by a court of appeals. *See* Dkt. 18. However, his filing also includes a  
7 "Notice of Waiver of Lawsuit and Request for Waiver of Summons" addressed to this  
8 Court and referencing this case. *Id.* at 4. On the other hand, Hausken's present motion,  
9 when read in the context of his prior filing to proceed IFP before the Ninth Circuit, leads  
10 the Court to believe Hausken's motion may be directed to the Ninth Circuit. Regardless,  
11 the Court cannot divine its meaning. Thus, it considers Hausken's motion to the Court an  
12 improper filing for which it can grant no relief.

13       Therefore, it is hereby **ORDERED** that Hausken's motion for an extension of  
14 time to file a statement of additional grounds for review (Dkt. 18) is **DENIED**.

15       Dated this 21st day of October, 2013.

16  
17  
18  
19  
20  
21  
22



BENJAMIN H. SETTLE  
United States District Judge